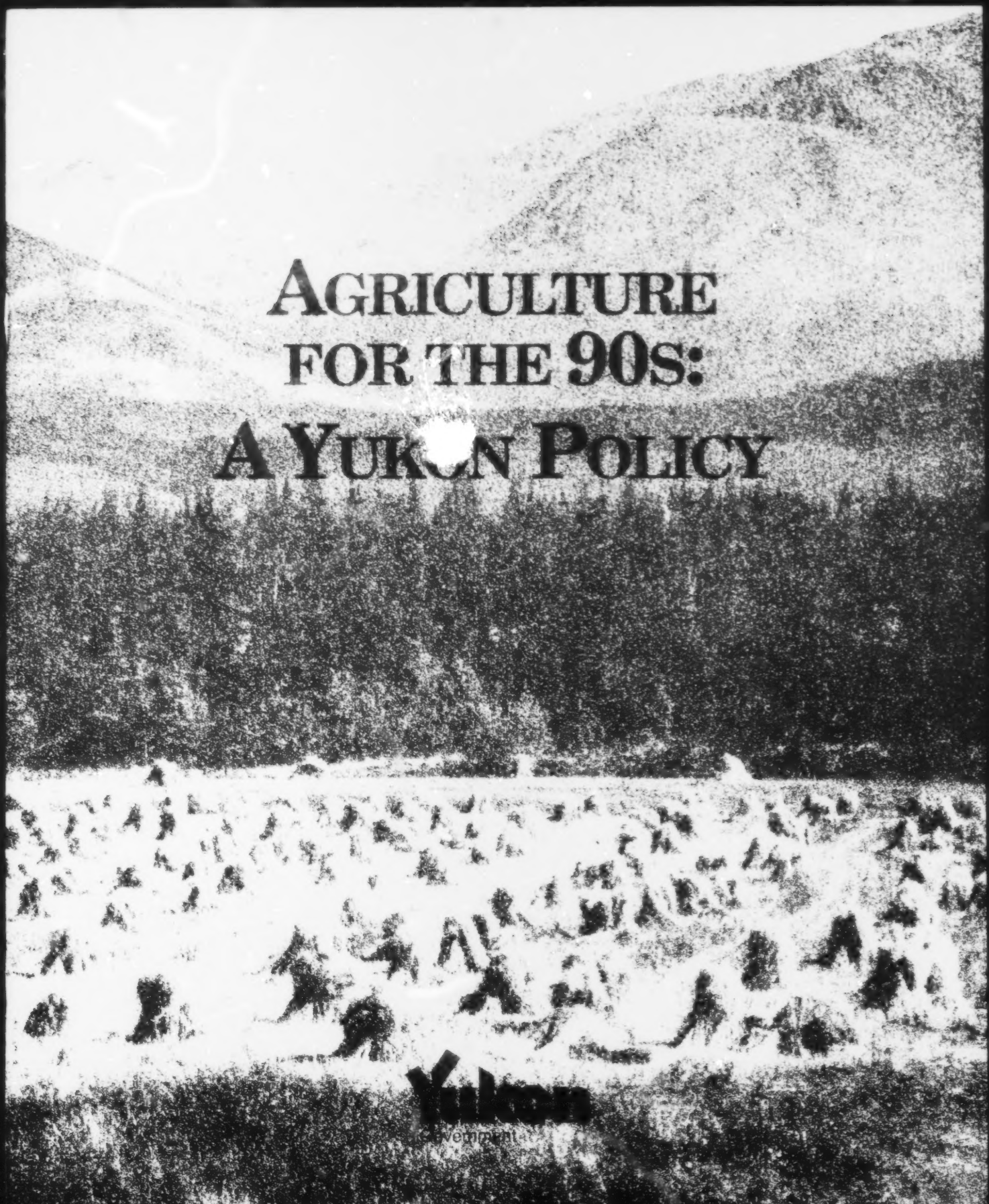

AGRICULTURE FOR THE 90S: A YUKON POLICY

Yukon

Government

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AGRICULTURE FOR THE 90S: A YUKON POLICY

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AGRICULTURE FOR THE 90S: A YUKON POLICY

Introduction

Agriculture has been a part of Yukon industry since goldrush times Now, 100 years later, it continues to be a valid and vital component of our economy. Still a small industry, it is struggling to become a more significant part of the economic scene. The Yukon government recognizes and supports that goal. A strong, self-sufficient agricultural base that replaces many imported foods with products from local growers is a vision we all share.

Yukoners have expressed desires for agricultural land and opportunity. Through a lengthy process of public consultation, they have shared their views and concerns about agriculture now and for the future. They have described the kinds of assistance they would like. They have also expressed concerns about impact on wildlife, the environment, and other industries.

The Yukon Agriculture Policy addresses those views and concerns. It explains how the Yukon government can help provide Yukoners with a promising agricultural future. Designed to minimize conflicts with other land uses, the policy recognizes the need to plan for success: a viable, sustainable industry that provides a healthy, natural and social environment. This is in keeping with the Yukon Conservation Strategy and the Yukon Economic Strategy.

The Yukon Agriculture Policy provides for development of areas specifically devoted to agricultural pursuits. It is not a free land policy. It calls for major commitments and is in keeping with the desire of Yukoners to establish an economical, viable industry. Agricultural areas will be established in harmony with other identified land uses as recognized in Land Use Plans. This will be done to ensure fair and equitable distribution of available land.

By clearly defining the responsibilities of the Yukon government's Agriculture Branch, the policy shows how the branch will assist those practising or interested in practising agriculture. Its extension services will support innovative developments, demonstration projects and practical research. This will be done to overcome problems that limit production, processing or marketing of agricultural products.

The Agriculture Branch will encourage the development of the various sectors: livestock, forage, grain and vegetable crops. The Branch will provide for sustainable use of resources by assisting in designing conservation measures for farms. It will provide many other forms of assistance, including help in the development of markets and infrastructure, financial and farm management counselling, and support for animal husbandry. The Branch will also develop policies, regulations and inspection services to ensure safe, healthy products for the Yukon public.

In summary, the Yukon Agriculture Policy has been developed with the best interests of the agricultural community in mind. It has been developed considering all concerns and interest expressed by those who participated in the public hearings. It has also been developed with consideration for the needs and concerns of Yukon First Nations.

This is a policy in keeping with Yukon and worldwide concerns for sage and sustainable economic environments. It is a policy in keeping with the 90s – the Decade of the Environment.

November 28, 1991

HIGHLIGHTS OF THE YUKON AGRICULTURE POLICY

What is the purpose of the policy?

The policy is intended to:

- encourage agricultural development;
- ensure that development is sustainable and in accordance with sound conservation practices;
- release agricultural land for sale or lease in a fair and equitable manner;
- preserve agricultural land; and
- ensure that competing land uses are fully considered.

What services will the policy support for farmers?

Continued government support for the agriculture industry is ensured by the policy. The following services are designed specifically to assist the farmer:

Extension services – providing advice to farmers in all aspects of farm management, production, marketing, conservation techniques, new farm technology, and farm financing.

Research – supporting projects designed to improve our understanding of agricultural production.

Veterinary services – continuing to find ways of improving veterinary services.

Marketing – providing advice and working closely with industry and other government departments to ensure the development of markets for Yukon agriculture.

Public health and safety – developing policy and regulations.

Sustainable development – providing programs that support environmentally sensitive management techniques.

Agriculture data bank – the Agriculture Branch will be responsible for establishing and maintaining an agricultural data bank. The bank will contain information such as cost, value of production, and amount of land in agriculture.

The Agriculture Branch will also encourage farmers to develop the type of agriculture which is most appropriate for their region.

The Yukon government will continue to encourage cooperation with Agriculture Canada and other federal agencies.

What guidelines are in the policy to assist you in applying for farmland?

- Farm land will be made available in planned agricultural areas. Applications for isolated parcels of land will be considered under special conditions.
- You may hold only one Agreement for Sale at a time. The primary form of land tenure will be Fee Simple Land.
- Agreements for sale and farm land leases will include land development conditions as spelled out in the Farm Development Agreement.
- Applications are to be limited to a 65 ha. parcel. If more land is required to provide an economic farm unit, then you may apply for an additional parcel of up to 65 ha.
- Applications for non-soil-based agriculture (e.g. greenhouses, poultry operations) outside of planned agricultural areas will only be considered if no suitable alternative is available.

How will the limited agricultural land base be protected?

It is important to protect the limited land suitable for cultivation in the Yukon. This will be done by:

- Designating agricultural lands under the Land Use Planning process.
- Allowing only farming activities to occur on designated agricultural lands.
- Encouraging all farm operators to practice sound soil conservation measures.
- Subdividing of farm land will not be permitted.

What will be the cost of farm land?

The sale price of agricultural land will be the greater of:

(a) the market value of the undeveloped land, or

(b) the costs born by the Yukon government in the development of the land. The land will be developed under a 5-year Agreement for Sale.

The policy assists you in buying farm land by allowing you to:

- Apply up to one-half of the value of approved capital improvements on the agricultural portion of the land against the purchase price.
- Offset part of the purchase price through types of work. This could be spelled out in the Farm Development Agreement.

Is this the only way in which farm land can be obtained?

No. Farm Land Leases will be available for lands in which exclusive possession is not in the best public interest. Examples include lands which have potential conflicts with other desirable uses, large land areas required for pasturing or browsing (e.g. game farm browse area), or lands requiring minimal development or capital investment. Lands requiring special soil management will not be available.

The annual lease fee will be a percentage of the value of the undeveloped land. However, work approved in the Farm Development Agreement can serve to serve to reduce this fee.

What will be the taxes on farm land?

A farmer who produces a minimum of $3,000 gross value of farm products each year may claim a 100% refund on taxes paid on farm land and buildings. The minimum gross product value will increase to $5,000 after two years.

Note that the taxes on residential land will not be eligible for this refund.

How can the public participate in the selection of agricultural lands?

The policy provides for a public review and comment on all agricultural land applications.

In addition, agricultural land will be identified in those areas where land use plans have been prepared. Public consultation is part of the planning process.

What will be the criteria used in reviewing agricultural land applications?

The following types of criteria will be considered in reviewing your application for agricultural land:

1. Climate and soil capability
2. Access
3. Compliance with regional plans
4. Wildlife and habitat protection
5. Forestry
6. Environmental protection
7. Subsistence use of the land
8. Economic feasibility
9. Parks and recreation
10. Cultural heritage considerations
11. Fisheries
12. Principle of "highest and best" use

Will new land applications be subject to the new policy?

Applications received after February 26, 1990, will be subject to the new policy.

Will the policy be reviewed in the future?

Yes. The Yukon Agriculture Policy will be evaluated after the end of the third year, and not later than, the fifth year of implementation. If you have any concerns about the new policy, please send them to:

Director
Agriculture Branch
Department of Renewable Resources
Box 2703
Whitehorse, Yukon Y1A 2C6

YUKON AGRICULTURE POLICY

Table of Contents

YUKON AGRICULTURE POLICY 1

Objectives 1
Department responsibilities 2
Policy review 2

SECTION I: AGRICULTURAL DEVELOPMENT 3

1. Extension services 3
2. Research 3
3. Regional development 4
4. Conservation services 4
5. Marketing support 4
6. Farm finance and farm management 5
7. Veterinary services 5
8. Public health and safety 5
9. Agriculture Branch development 6
10. Technology transfer 6
11. Federal/territorial cooperation 6
12. Public involvement 6
13. Agriculture database 6
14. Sustainable development 7
15. Evaluation of the policy 7

SECTION II: AGRICULTURAL LAND 8

1. Objective of Section II 8
2. Definitions 8
3. Eligibility for acquiring agricultural land 9
4. Orderly development 9
5. Land use regulation 10
6. Environmental protection 11
7. Agricultural land dispositions 12
8. Farm Development Agreement 14
9. Responsibilities of applicants 15
10. The agricultural application review process 15
11. Land pricing 17
12. Farm development assistance and production incentives 18
13. Land inspection 19
14. Public involvement 19
15. Evaluation of the policy 20

YUKON AGRICULTURE POLICY

The Yukon government recognizes that the Yukon's agricultural sector has the potential to expand and develop as an important part of the territorial economy. Through the use of conventional as well as innovative technologies, the opportunity exists to replace a portion of imported foods with made-in-the-Yukon products. The government's agricultural programs are designed to promote a sustainable, self-sufficient (market-driven) and economically viable industry in the territory.

The Yukon Agriculture Policy is intended to guide the delivery of the government's agricultural programs. It is comprised of two principal sections: **Section I: Agricultural development** and **Section II: Agricultural land**.

Objectives

The Yukon Agriculture Policy is based on the principles stated in the Yukon Economic Strategy, the Yukon Conservation Strategy and the Yukon Environment Act. This policy has the following specific objectives:

1. To encourage the development of an agricultural sector which will produce food and other products that will replace imported goods to the greatest extent possible. Future agricultural development should include finding the right crops and products that can be grown and produced in the Yukon, and which may find a place in the export market.
2. To ensure that the development of the agricultural sector occurs in a manner which:
   (a) provides for the maintenance of the resource base for agriculture (soil productivity, water quality, genetic diversity of crops); and
   (b) protects the habitats of wild plants and animals, particularly those that are endangered or threatened, used for subsistence purposes, or considered valuable to other economic sectors.
3. To provide suitable lands for agricultural purposes in a manner which:
   (a) ensures a fair and open process for obtaining land;
   (b) balances the demand for agricultural land with competing land uses;
   (c) minimizes any potential negative effects of converting land to agricultural use in order to ensure that the net social benefits of converting land to agricultural use are positive, that is, the benefits to farmers, food processors and food consumers exceed total social, environmental and economic costs;

(d) allows for a reasonable diversity of opportunity and lifestyle for individuals interested in agriculture; and

(e) ensures that agricultural land once allocated to that use will continue to be available for agricultural uses by present users and future generations.

Department responsibilities

Two Yukon government departments have the primary responsibility for delivering the agriculture programs in the Yukon:

1. The Department of Renewable Resources (Agriculture Branch) is responsible for a variety of agricultural development services (research and development, extension, marketing, farm management, etc.) as described in **Section I: Agricultural development**.
2. The Department of Community and Transportation Services (Lands Branch) administers the land application and approvals process as described in **Section II: Agricultural land**.

In addition, the Department of Economic Development is responsible for a variety of business development programs which can provide financial assistance to the Yukon's agriculture industry. Information on these programs is available from the Business Development Office.

The agriculture industry participates in the development of agriculture-related policy and programs through its membership on the Agriculture Planning Advisory Committee which advises the Minister of Renewable Resources. Industry is also provided with opportunities to participate in other resource management processes, such as the Yukon Land Use Planning process and local Renewable Resource Councils, where appropriate.

Policy review

The Yukon Agriculture Policy and the two sections which it comprises shall be evaluated after the end of the third year, and not later than the fifth year, of implementation. Specific questions to be addressed in the policy review are provided in each section of the policy.

SECTION I: AGRICULTURAL DEVELOPMENT

The Yukon Conservation Strategy, released in May 1990, stated that conservation in agriculture can help to ensure the development of an industry that is self-sufficient and sustainable. Specific commitments were made by the Yukon government regarding agricultural land, soil conservation, water use, research and technology and support to the agriculture industry. The Agriculture Branch of the Department of Renewable Resources will provide the following services to aid in the development of a sustainable agriculture industry in the Yukon.

1. Extension services

The primary function of the Agriculture Branch is to offer an extension service to Yukon farmers and the agriculture industry. This service will be provided to farmers and people in the industry using on-site calls, office interviews, extension courses and programs, as well as newsletters, publications and research/demonstration reports on work being carried out by the Agriculture Branch.

Extension services and advice will be provided in all areas of agricultural production and development. This includes land development, soil conservation, irrigation, building design, regulatory services and programs, equipment uses, grazing management and control, fertilization, as well as all types of production methods in producing crops, forages, pastures, livestock, game farming, etc. It is intended that the expertise will be provided by the Agriculture Branch on a direct basis or by the use of outside expertise which will be obtained and presented through the Agriculture Branch.

2. Research

The Agriculture Branch will support and coordinate research, innovative development, demonstration and field-scale projects, designed to improve our understanding of agricultural production in the Yukon. Emphasis will be placed on the research necessary to solve the problems that limit the production, processing and/or marketing of Yukon agricultural products.

It is not yet the intention of the Agriculture Branch to be directly involved in research which would develop new varieties of crops, new breeds of livestock, new weed control chemicals, etc. Thus, the research and demonstration work carried out will be that which would provide the quickest and most profitable returns to the primary producers and primary industry sector. In the future, as resources permit, more extensive basic research on new cultivars and breeds may be undertaken.

For the testing and demonstration work to be most effective, multiple location projects will be used as well as single location projects.

3. Regional development

The Agriculture Branch will encourage the development of the various sectors (livestock, forages, grain, vegetables, etc.) of agriculture that are appropriate for each region of the Yukon based on the following considerations:

a) climatic factors
b) soil
c) economic factors
d) markets, access, power, etc.
e) land use planning
f) research/new technology.

4. Conservation services

The Agriculture Branch has a mandate to ensure that agricultural resources such as land, soil and water are conserved and managed properly. Conservation and agricultural resource development programs must be in place to protect agricultural soils and to ensure that water is developed and used to maximize its potential in irrigation systems where most appropriate. Protecting our agricultural resources will guarantee agricultural productivity for future generations.

The Agriculture Branch will thus assist in the design of conservation measures for farms. In some instances, conservation measures for land development may be designed into grazing leases, as well as agreements for sale.

5. Marketing support

A major objective of the Agriculture Branch will be to improve Yukon farm incomes by assisting primary producers in determining the most suitable and marketable crops for their particular soils, climate and production capability.

Ideally, the development of agriculture will be market-driven and market-oriented in all areas of the territory. The Agriculture Branch, when appropriate, will work in close cooperation with other government departments to ensure the development of markets and infrastructure for Yukon livestock, crops, food products and related technical services. Marketing support will be provided by advising on distribution, packaging, advertising and displaying of merchandise. In addition, the Agriculture Branch will encourage high standards of food quality and hygiene.

6. Farm finance and farm management

The Agriculture Branch is committed to providing farm management advice, counselling and services to primary producers in order to ensure orderly and steady growth and development of agriculture in the Yukon. Since agriculture is still a relatively young industry in the Yukon, it is an ideal time to stress the need for sound farm management, record keeping and proper accounting practices. This will also enhance the industry's capability to obtain farm financing if so required.

7. Veterinary services

Animal husbandry is recognized to have an important role to play in the development of the agriculture industry and the overall economy of the Yukon. Methods should be developed to enable and encourage the most economically efficient output from the food animal sector. Veterinary services offered on a permanent basis are essential to the production and growth of the food animal sector. The Agriculture Branch of Renewable Resources will provide the following support to veterinary services:

a) Seek ways and means to improve veterinary services to Yukon farmers.

b) Promote herd health programs in the Yukon.

c) Consider incentive programs to both producers and veterinarians in order to provide a consistent service throughout the Yukon. This can be done through extension programs, seminars, and conferences in order to help educate the farming public in areas of livestock and poultry production, health and management.

New legislation will be developed to control contagious diseases in all livestock, domestic or wild in origin.

8. Public health and safety

a) Product inspection

The Agriculture Branch will encourage safe, wholesome food production. The Branch in cooperation with agriculture industry representatives will be responsible for:

i) development of the necessary policies and regulations needed to ensure safe, healthy products are available to the public;

ii) development of the necessary infrastructure and services needed to provide for the inspection of agricultural products. This is to ensure adequate implementation and enforcement of the policies and regulations.

iii) development of the necessary policies and regulations needed to minimize biological problems such as diseases, weeds, and harmful insects.

b) Livestock control

Livestock found at large can be a public safety hazard and may cause property damage, especially where livestock are roaming near highways. The

mandate of the Agriculture Branch in relation to livestock control will be as follows:

i) Administer the necessary programs needed to ensure the control of stray livestock;

ii) Review, revise, and develop new regulations or policies as required to ensure the control of stray animals on Yukon highways and in Pounds Districts;

iii) Where necessary, share in joint programs/legislation with other government branches to ensure the safety of highway users.

9. Agriculture Branch development

It will be the responsibility of the Agriculture Branch to provide fast, reliable and consistent support to the agriculture industry. In order to accomplish this, branch support should parallel the growth of the industry.

The Agriculture Branch will recognize the need to provide sound input to the Department of Renewable Resources on policy and administrative matters, while still providing the necessary services and support to the industry.

10. Technology transfer

A key role for the Agriculture Branch will be to provide leadership and direction to the public and private sectors as well as to the industrial and non-governmental institutions in the transfer and explanation of new farm-related technology and technological developments in agriculture.

11. Federal/ territorial cooperation

The territory's agricultural sector benefits greatly from the interest and involvement of federal agencies in various extension, research, and support services. In particular Agriculture Canada plays a prominent cooperative role in support of the agriculture industry. The Yukon government will undertake to foster and promote this cooperation.

12. Public involvement

All aspects of agricultural development shall be undertaken while providing opportunities for extensive public involvement. It is the intention of the Agriculture Branch to work in cooperation and partnership with the private sector and the general public to develop a sound agriculture industry in the Yukon.

13. Agriculture database

It will be the responsibility of the Agriculture Branch to establish and maintain a database on agriculture in the territory. This will include statistics on agricultural inventory, value of production, costs of production, land area in production and trends in the industry. Summary data from this database will be generally accessible to the public. Individual survey forms will be treated as confidential.

The Agriculture Branch will work in close cooperation with appropriate government departments and branches (Statistics Branch, Economic Development) in order to plan and carry out the surveys required to obtain the necessary information to maintain the database.

14. Sustainable development

The primary objective of sustainable agriculture is to ensure a more environmentally sensitive agriculture industry. Promoting an agriculture industry that is economically viable and profitable and that provides for basic human food needs, while enhancing the quality of life for farmers and society, are key goals. This can be done while also conserving or enhancing, for the use of future generations, the quality of the environment and the resource base upon which agriculture depends.

To this end, Agriculture Branch programs will encourage the development and adoption of management techniques and skills that are oriented to environmental sensitivity and sustainable production systems. In addition programs and policies must take into account environmental sustainability in their design and delivery.

15. Evaluation of the policy

This section of the Yukon Agriculture Policy, and the program to implement it, shall be evaluated after the end of the third year of operation, and before the end of the fifth year of operation. Among the questions to be answered are the following:

(1) Is the scope of services provided by the Agriculture Branch appropriate given the stage of development and type of agriculture industry in the Yukon at present?

(2) How effective has the Agriculture Branch been in the following areas:

- providing extension services
- supporting and coordinating research
- encouraging regional development
- ensuring conservation of agriculture resources
- providing marketing support and farm management advice
- providing support to veterinary services
- encouraging wholesome food production
- ensuring the control of stray livestock
- encouraging technology transfer
- maintaining federal territorial cooperation
- encouraging public involvement
- establishing and maintaining an agriculture database.

(3) How has the agriculture industry grown in relation to the development of, and the resources committed to, the Agriculture Branch?

(4) Have the needs of the agriculture industry changed and are these needs being met?

SECTION II: AGRICULTURAL

LAND

1. Objective of Section II

Section II: Agricultural land is a component of the overall agriculture policy and is intended to help achieve the overall objectives of the agriculture programs.

This Section establishes: a process for the administration and evaluation of applications for agricultural land; criteria for evaluating and determining applications; land allocation policies, including pricing; land use regulations; a policy for taxation of agricultural land; and provisions for enforcement and public involvement.

Aquaculture is dealt with under a memorandum of understanding with Fisheries and Oceans Canada, and is outside of the scope of the agriculture policy. Submerged lands will not be developed or disposed of under this policy.

2. Definitions

In this Section:

(1) **Agricultural land** means land for the purpose and pursuit of agricultural production, excluding the primary use of the land for processing or equipment sales.

(2) **Arable land** means land considered suitable for cultivation of crops in the Yukon. The arability of the land depends on several factors including soil conditions, drainage, and local climate. Generally, land having an agronomic rating of class 5 or better will be considered arable; land with a rating of class 6 or worse will be considered not suitable for cultivation.

(3) **Soil-based agriculture** means that the agriculture pursuit depends on the quality of the available soil, and other agronomic factors.

(4) **Non-soil-based agriculture** means any agricultural pursuit which does not depend on the quality of soil available on the site. Examples would include: greenhouse operations, apiaries, and aviaries.

(5) **Farm Development Agreement** means an agreement between the purchaser, or lessee of agricultural land, and the Yukon government, describing the work to be done on the land, and setting forth any special conditions for the development of the agricultural enterprise, including penalties for non-compliance as discussed in Section II,8(1).

(6) **Grazing land** means uncultivated land used for the pasturing of livestock. Grazing land use is managed under the grazing policy.

3. Eligibility for acquiring agricultural land

(1) To be eligible to acquire Yukon agricultural land, a person must meet several criteria, in order to ensure that the resource held in common by all Yukon people is used for the benefit of Yukon society. To be eligible for agricultural land a person must:

(a) be a Canadian citizen or a permanent resident of Canada;

(b) have resided in the Yukon for one continuous year prior to application; and have maintained residency in the Yukon for one year prior to entering into an Agreement for Sale on agricultural land;

(c) be 19 years of age or older;

(d) have not sold a titled parcel of agricultural land or assigned an agricultural Agreement for Sale for at least one year;

(e) be a company incorporated under the laws of the Yukon of Canada where the majority of shares are held by Yukon residents qualifying under requirements (a) to (d) above, and which will utilize the agricultural land for the exclusive benefit of the shareholders; or,

(f) be a non-profit society registered in the Yukon, whose members and officers meet the requirements under (a) to (d) above.

(2) Yukon residency must be maintained throughout the term of the agreements for sale on agricultural land.

4. Orderly development

(1) The emphasis in development and disposition of agricultural land will be on designated and planned agricultural areas.

(a) In areas where regional, sub-regional or district plans exist, the plans will be used to guide development and disposition for agricultural land. In the event of non-compliance with existing plans, a special review will be undertaken to determine the significance of the change in land use. This will be factored into the final decision on the application.

(b) The restrictions on available Crown land for agricultural use, as with other classes of land, may be adjusted to reflect community needs through sub-regional plans and local zoning.

(c) Assistance will be given in directing applicants for agricultural land toward lands that are appropriate for agricultural uses.

(d) Agricultural land will be identified through agronomic capability and a planning process.

(e) Processing of existing agricultural applications will continue with no change in the procedure or the priority.

(2) Spot agricultural applications will be accepted subject to the following considerations:

(a) Areas of high demand or land use conflict may be closed to spot agricultural applications.

(b) Where appropriate areas for agriculture can be identified, these may be designated for spot applications.

(c) There may be areas requiring protection of particular natural resources designated and closed to agricultural development and disposition. A designated area may be identified during an application review.

(d) Spot land applications will not be accepted where suitable land exists in a planned agricultural area.

(e) Spot applications for non-soil-based agricultural land will only be considered where no suitable alternative land is available. Alternatives may include rural residential or country residential lands where zoning or area planning would be compatible with the agricultural endeavour.

(f) Utility easements will be assured and planned in all agricultural dispositions.

(3) Access to agricultural land and to adjacent lands will be required.

(a) Agricultural parcels must have provision for reasonable access. Access by land will be the norm. Water access may be considered; however, development with water access only will be discouraged.

(b) Road construction will normally be the sole responsibility of the purchaser and may be cost shared under separate programs, such as the Resource Access and Transportation Program (RTAP). Access constructed by the Yukon government will be fully cost recoverable from the agreement holder.

(c) In consideration of any agricultural land disposition, provisions must be made for access to adjacent and hinterlands adjoining the parcel.

5. Land use regulation

(1) It is important that the limited land suitable for agriculture in the Yukon be protected from uses that are incompatible with goals consistent with development of a vital and self-sustaining agriculture industry.

(2) Agricultural land will be protected from encroachment.

(a) Every effort shall be made to ensure that areas designated for agriculture will be used for that purpose only, in accordance with legislation and regulations.

(b) Land use controls, including zoning, may be used to separate uses incompatible with agriculture (e.g. high density residential) from designated agricultural areas.

(3) Lands designated for agriculture will be protected from non-agricultural uses in the following ways:

(a) Lands disposed for agricultural purposes will not be subdivided.

(b) Area development regulations, restrictive covenants on land titles, the form of land tenure and development agreements may be used to encourage agricultural land use and development.

6. Environmental protection

(1) All farm development and operations must conform to any requirements of the *Environment Act* and regulations.

(2) Conservation of soil is a key component in the continued development and economic sustainability of agriculture in the Yukon.

(a) Soil management and conservation will be practised to sustain the productivity of Yukon soils. All agriculturalists will be encouraged to practice sound soil conservation measures.

(b) Agricultural operations should not occur in areas with unstable soils or should be designed to minimize erosion and soil loss. Lands requiring special soil management for successful and sustained operation will not be disposed of.

(c) Soil conditions such as salinity, drainage, texture and slope may result in a decision against agricultural land use.

(d) In areas where agriculture is generally known not to be agronomically capable, agricultural land applications will not be received. In areas where agriculture is generally understood to be feasible, the application will be reviewed for its site-specific technical feasibility, particularly with respect to climate and soil capability.

(3) Applications to acquire land for agriculture will be reviewed by the Fish and Wildlife Branch to safeguard wildlife interests.

(a) Encroachments on key wildlife habitats will be kept to a minimum by evaluating the elements of risk in each instance where an allocation of land is proposed.

(b) Measures will be taken to avoid overlap between allocation of lands for agriculture and key wildlife habitat. In particular, key wildlife habitat will be excluded from agricultural disposition except where the Fish and Wildlife Branch determines that adverse effects upon wildlife interests can be successfully mitigated.

(c) The location of all livestock production – whether of established domesticates or of new domesticates – will be controlled to avoid risk of transmission of disease or genes to wild populations.

(4) Areas that provide accessible domestic wood supplies for communities will not be disposed of for agriculture unless provision has been made for alternative supplies that are equally accessible. Where this is not possible, disposition of the land for agriculture may be delayed until such time as the wood has been removed or arrangements have been made to harvest the wood in an effective manner.

(5) In the disposition of agricultural land the effect on water resources will be evaluated. Agricultural developments that may pollute the water supply of a community will not be supported.

(6) Agricultural operations that may cause extreme odours and that may negatively affect existing residential areas may not be supported (e.g. piggeries, poultry farms, slaughter operations will not be supported adjacent to existing or planned residential areas).

(7) Where an area has high subsistence values, disposition for agricultural use may not be supported if it is determined that the agricultural disposition will detract significantly from the subsistence values. This section will be subject to the development of a subsistence policy.

7. Agricultural land dispositions

(1) Applications for agricultural land in the Yukon are administered by the Lands Branch, Department of Community and Transportation Services.

(2) The provisions of the *Yukon Lands Act* and Regulations, and Lands Branch procedures for sale of land will apply to all agricultural land dispositions.

(3) Land will be released for agricultural use under two forms of tenure:

(a) Fee Simple Tenure will be the dominant form of tenure. In the majority of cases it will be desirable to transfer land in this way.

i) Agricultural land sold on a fee simple basis will be released under a 5-year Agreement for Sale.

ii) An individual may not hold more than one Agreement for Sale at any time.

(b) Farm Land Leases, with terms up to 30 years, will be used to grant exclusive possession and use of land where the granting of indefinite tenure is not in the best public interest. Circumstances where leases will be used include:

i) where the pursuit of agriculture will have potential conflict with other desirable land uses;

ii) where large areas are required for pasturing, browsing, or other uses requiring a minimum amount of development, or capital investment; for example a game farm browse area.

(4) Agronomic capability classification will be a factor in determining land disposition for agriculture.

(a) Two-thirds of 80% of land for soil-based agriculture must be arable.

(b) Agriculture will normally be conducted on lands that have 80% agronomic capability, class 5 or better.

(c) Non-soil-based agriculture will be allowed on non-arable land, but only the first 6 ha. may be titled. The remainder will be leased. The primary use of the land must be for agricultural production. A farm residence may be allowed where appropriate and necessary.

(d) Non-soil-based agricultural enterprises and grazing will be fully considered on land with soil agronomic classification of class 6 or 7.

(e) Agronomic limitations such as topography, climate, and soils may result in a decision against agricultural land use. Capability will be assessed by a soil technician or agronomist using national standards. Assessments will be detailed soil maps and/or field surveys.

(5) Agricultural agreements for sale and farm land leases may be assigned to another eligible individual with consent of the Minister responsible. A new Farm Development Agreement may be required as a condition of an assignment. A reasonable level of surety that the terms of the agreement will be met must be evident.

(6) Applications for agricultural land will be limited to an initial parcel up to 65 ha. in size.

(7) One additional parcel of land up to 65 ha. may also be applied for under separate application, at the same time as the initial parcel is applied for, under the following conditions:

(a) All of the terms of the Agreement for Sale for the first parcel must have been met, or substantially met, to the satisfaction of officials of the Lands Branch and the Agriculture Branch, before the second parcel is released;

(b) The second parcel must be contiguous to the first and must be essential to the development of an economic farm unit. If accepted, the second application will protect the land from other agricultural land applications. The government reserves the right to terminate the application at any time after consulting the applicant.

(c) The second parcel must be consolidated with the first at the time of issuing the Agreement for Sale for the second parcel.

(8) Applications will be accepted to expand existing farming operations. Applicants must show the need for additional land through a Farm Development Plan, which would become part of the Farm Development Agreement. The expanded farm land base, including the original parcel, will be designated for agricultural land use.

8. Farm Development Agreement

(1) Agreements for sale, or lease agreements for agricultural land will include a Farm Development Agreement. The Farm Development Agreement will contain a detailed farm development and management plan and set out all the conditions which must be met before title is issued or equity is earned and will include an adequate penalty for noncompletion of the Farm Development Agreement which may include repaying agriculture property tax rebates, penalty fees based on cost of administration of applications, and agreements for sale. Penalties may also involve reduction of property eligible for sale.

(2) Special conditions for Farm Development Agreements for non-soil-based agriculture will be designed on a case-by-case basis in view of the enterprise being proposed.

(3) The Farm Development Agreement will list the development work which the Yukon government agrees may be used to offset the cost of the land, or the lease fee. The Farm Development Agreement will also state the value at which each part of the development will be assessed for purposes of offsetting the cost of the land, or lease fee. When determining the value of development work, the value of any unpaid labour will be given due account. Generally, the work will be valued at the prevailing cost of contracting out for similar work.

(a) The terms of a Farm Development Agreement will be varied according to the nature of the agricultural enterprise planned, and any special site-specific conditions. Any capital improvements deemed necessary to the successful operation of the farm enterprise, including the following items, may be included in a Farm Development Agreement:

i) Fencing – valued at the actual cost, or an imputed value based on the prevailing price of a third-party contract for the fencing;

ii) Clearing – valued at a pre-determined amount for each hectare; with a greater allowance for using a clearing method which allows salvage of all merchantable timber, and fuel wood;

iii) Farm buildings – valued at actual cost, contract cost, or replacement value;

iv) Drainage and irrigation systems;

v) Shelter belts;

vi) Farmyard sites;

vii) 20% of the value of the farm house, up to a limit of $10,000;

viii) The cost of a legal survey;

ix) Other capital expenditures not including farm implements and equipment.

9. Responsibilities of applicants

(1) Every applicant for agricultural land must:

(a) complete an application for land in as much detail as possible;

(b) update the application with new or additional information as it is developed or requested;

(c) prepare a Farm Development Plan which the Agriculture Branch considers to have good potential for viability in the Yukon context;

(d) be available for consultation and discussion of the application and the specific agricultural enterprise being considered when the application is being reviewed by the agencies involved in the decision-making process.

(2) Applicants for spot agricultural land must also provide a map based on a legal survey of the property, prior to the issuance of an Agreement for Sale.

(3) Applicants will be encouraged to apply for the type (class, fertility, drainage) and amount of land required for the proposed agricultural enterprise.

10. The agricultural application review process

(1) The agricultural application review process involves the following steps:

(a) The application is received and reviewed for completeness and acceptability by the Department of Community and Transportation Services.

(b) A review of agronomic capability is conducted by the Department of Renewable Resources. Field surveys, if required, will be done during the summer.

(c) Native land claim interests are examined by the Land Claims Secretariat, and the relevant First Nation.

(d) Where the land applied for lies within the boundaries of a municipality, the municipality will be consulted before any agricultural land is released to ensure that municipal zoning allows agriculture.

(e) Applications will be available for public review and comment for a minimum 20-day period.

(f) The departments of Community and Transportation Services and Renewable Resources conduct reviews of land use and competing resource interests.

(g) The Department of Renewable Resources conducts a management review of the proposed agricultural project.

(h) Consideration, adjustments and decisions on applications are undertaken by a review committee having representation from all departments with responsibility for land and resource management.

(i) Final decisions are the responsibility of the Minister responsible for the *Lands Act* or their designate.

(2) The following time constraints will be applied to the review and consideration of agricultural land applications:

(a) Applications will be reviewed for completeness and quality of information presented to meet the minimum requirements for further consideration and notification will be sent to the applicant indicating the status of the application within 10 working days of receipt by the Lands Branch.

(b) Subject to the availability of the applicant, and additional information that may be required, Land Claims Secretariat, Renewable Resources and Community and Transportation Services management reviews will be conducted within 90 days of formal receipt by Lands Branch.

(c) At the end of the 90-day review period, the applicant will be informed of the status of the application. Options are:

i) approval of application (Note: if on lands administered by the federal government, this approval is subject to federal government approval of a land transfer);

ii) denial of application;

iii) deferral of application for a period of up to 12 months for completion of soil surveys, further consultation and discussion of the application with the applicant or other factors required for full review and consideration of the application.

(3) Reasons for denial or deferral decisions on an application will be given to the applicant at the time a decision is made.

(4) The applicant may appeal denial of an agricultural land application to the Minister responsible for the Crown lands.

11. Land pricing

Agricultural land will be priced in the following manner:

(1) Determination of sale price or lease fee

(a) Lease fee: The annual fee for a Farm Land Lease will be based on the greater of the market value of the undeveloped farm land, or the development costs of the land borne by the Yukon government; multiplied by a percentage amount to be established by regulation from time to time.

(b) Sale price: The sale price will be the greater of the market value of the undeveloped land, or the development costs of the land borne by the Yukon government.

(2) Infrastructure services to agricultural properties may be provided during development of planned agricultural areas; or on a case-by-case basis for spot dispositions.

(a) Infrastructure services provided by the Yukon government will be fully cost recoverable.

(3) Unless specifically stated otherwise, all costs of survey, legal description and servicing will be the responsibility of the applicant/Agreement for Sale holder.

(4) Determination of market value

(a) The market value of the undeveloped land will normally be determined by appraisals carried out by the Property Assessments Section of the Department of Community and Transportation Services. On occasion, the services of an independent licensed appraiser may be used. The appraisals or assessments will take into account the class of land use, and the effect of any restrictive caveats or zoning on the value of the land. The market values of finished land held in inventory will be updated from time to time to reflect current market conditions.

(b) The usual method of determining market value will be through an analysis of private agriculture property sales. Where there have not been sufficient sales to determine a value, other generally accepted appraisal techniques may be used. In lieu of an assessment or appraisal, a public tendering process – subject to a reserve bid equal to development costs – may be used to establish market values.

(5) Other costs

(a) Transaction costs for a fee simple sale will be included in the development costs attributed to the parcel of land. Recurring transactional, and other administrative costs will be paid by the purchaser or lessee as an administrative fee. Examples of such recurring costs include the administration of a lease or a multi-year Agreement for Sale. The amount charged will be the same as the amount charged by the Lands Branch for similar services for other classes of land.

(b) Interest shall be charged only on the balance owing against development costs on an Agreement for Sale.

(6) Appeals

(a) Where there is a dispute over the price of a specific parcel of land, which was not developed and offered for sale to the public by the Yukon government, the purchaser may arrange for an independent appraisal at his or her expense.

(b) The Yukon government may use the appraisals as a basis of negotiation with the purchaser.

(c) Where a dispute is not resolved through negotiation, it may be submitted to an independent appraiser acceptable to both parties. The cost of the appraiser will be shared between the Yukon government and the client.

(d) Only one appeal will be allowed on any application for land.

12. Farm development assistance and production incentives

(1) Forgiveness of part of the sale price or lease fee

(a) Up to one-half of the value of approved development work on the land, as set out in the Farm Development Agreement, may be used to offset the sale price, or lease fee for the land as follows:

i) In the case of a sale, for every two dollars of approved development work done, one dollar of the difference between the market value of the land, and the Yukon government's development cost, may be forgiven. None of the development costs may be forgiven;

ii) In the case of a lease, for every two dollars of approved development work done, one dollar of the annual lease fee may be forgiven. All of the allowable development work would have to be completed within the first five years of the lease agreement. In the sixth year of the lease the annual lease fee would be decreased by one-half of the total approved developments. This decrease would be applicable to the life of the lease.

(b) If the development work is not done within the time allowed in the Agreement for Sale, or lease agreement, none of the remaining cost of the sale or lease will be forgiven. Furthermore, penalties may be imposed as outlined in Section II,8(1). The term of the Agreement for Sale will only be lengthened under very exceptional circumstances; or for compassionate reasons related to a family tragedy which prevented the development work from being completed on time.

(2) Rebates for land taxes

An agricultural land tax rebate program will be implemented which will encourage farm production, with the following provisions:

(a) The rebate program will allow farmers who produce a minimum of $3,000 gross value of agricultural products to claim a full refund of taxes paid directly to the Yukon government, for the agricultural land and specified specialized agricultural buildings. The minimum gross product value will increase to $5,000 two years after the Agreement for Sale has been issued.

(b) Taxes attributable to residential use will not be included in the refund.

(c) No rebate will be paid for taxes paid to a municipality.

13. Land inspection

(1) Regular inspection of agricultural parcels will be conducted to evaluate progress toward successful completion of the agricultural Agreement for Sale, including the Farm Development Agreement, and to facilitate provision of agricultural extension services.

(2) Lengthening of the term of an Agreement for Sale will only be considered in very extraordinary circumstances.

(a) A case-by-case assessment for the extension of terms of an agricultural Agreement for Sale will be conducted by the Lands and Agriculture Branches following guidelines accepted by the departments.

(3) Remedies under the *Lands Act* may be taken against agreement holders who do not fulfil the terms of agricultural land agreements.

14. Public involvement

(1) The Agricultural Planning Advisory Committee will continue to make recommendations to the Minister of Renewable Resources on any agricultural matter it has considered.

(2) Applications for agricultural land, when being considered during the review process, will be advertised to allow for public comment.

(3) Agricultural applications under active consideration will be advertised monthly, in local newspapers, as the applications become active on the Land Application Review Committee agenda.

(4) Written comments will be received by the Lands Branch during a 20-day period following the first public advertisement.

(5) At the discretion of the Chair, interested parties will be provided the opportunity to make an oral submission to the Land Application Review Committee.

15. Evaluation of the policy

This agriculture policy, and the program to implement it, shall be evaluated after the end of the third year of operation, and before the end of the fifth year of operation. Among the evaluation questions to be answered are the following:

(1) Is there sufficient privately-held agricultural land to support the Yukon's agriculture industry?

(2) Is the agricultural land base being utilized efficiently and effectively?

(3) Is there any further justification for forgiving part of the price of the land in return for development work?

(4) Should the policy on tax rebates be retained, modified, or deleted?

(5) Do the benefits to Yukon society of agricultural development outweigh the costs?

(6) Are environmental impacts acceptable?

(7) Are land use regulations, including subdivision control, effective, or necessary?

(8) Is there a need to introduce additional measures to protect arable land?